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Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of

Implementation of  
Video Description of  
Video Programming

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MM Docket No. 99-33

FCC 99-353

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

COMMENTS OF THE ASSOCIATION OF AMERICA'S PUBLIC TELEVISION  
STATIONS

The Association of America's Public Television Stations ("APTS") hereby submits its comments in the above captioned proceeding. APTS is a nonprofit organization whose members comprise nearly all of the nation's 352 noncommercial educational television stations. APTS represents public television stations in legislative and policy matters before the Commission, Congress, and the Executive Branch, as well as engaging in planning and research activities on behalf of its members. APTS submits its comments in support of the Commission's landmark effort to ensure that citizens with visual disabilities have access to broadcast services through video description.

Public television's mission is to provide educational, informational and cultural programming and related services to the unserved and underserved of our nation. The Public Broadcasting Act of 1967 reflected Congress's desire to "support a national policy that will most effectively make public telecommunications services available to all citizens of the United States."<sup>1</sup> Public broadcasting stations therefore are committed to making their programming accessible to all audiences. Accordingly, to reach

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<sup>1</sup> 47 U.S.C. §396(a)(7).

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Americans traditionally excluded from broadcast programming, public television has taken a leadership role in making its programming accessible to deaf and hard-of-hearing persons and persons with visual disabilities.

As the FCC has recognized, public television has been at the forefront in the development of captioning technology and services, and the CPB/WGBH National Center for Accessible Media (NCAM) has served as a resource to public broadcasting in developing accessibility.<sup>2</sup> In addition to its commitment to closed captioning, public television has been airing described video programming for more than a decade. The descriptive video service ("DVS") was first developed by public broadcasting through WGBH. In 1988, PBS tested DVS nationally throughout its season of *American Playhouse*, and in 1990, PBS aired the first nationally described program *American Playhouse's* "Sense and Sensibility." In 1990, public television was honored by the National Academy of Television Arts and Sciences with an award for its development of descriptive video services. The WGBH National Center's DVS has described more than 1,600 PBS programs, and has provided video description for a variety of regular programming, special programming and cinematic productions.<sup>3</sup> In addition, the CPB-WGBH National Center for Accessible Media (NCAM) reports that currently 169 public television stations, reaching over 80 percent of the nation's households, have installed the necessary equipment to distribute video descriptions via the secondary audio

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<sup>2</sup> The Caption Center at WGBH was established in 1971 as the world's first captioning center. Additionally, PBS was instrumental in establishing the National Captioning Institute in Virginia. For approximately nine years thereafter, until 1980, only public broadcasting stations carried captioning. Now, nearly 100 percent of the PBS national programming service carried on public television stations is closed captioned. In general, the few PBS programs in the national programming service that are not closed captioned are visually oriented (such as dance performances), non-verbal in nature (such as music concerts), or in foreign languages where subtitles already exist.

<sup>3</sup> See In the Matter of Implementation of Video Description of Video Programming, Notice of Proposed Rulemaking, MM Docket No. 99-339, FCC 99-353 (November 18, 1999) (hereinafter "NPRM"), ¶2, and "DVS Milestones," <http://www.wgbh.org/access/dvs/dvsmilestones.html>.

programming channel.<sup>4</sup> As the Commission has noted, “noncommercial stations provide video description in the absence of Commission rules requiring them to do so.”<sup>5</sup>

However, the Commission has correctly noted that although public television maintains its leadership role in offering described video programming, many public television stations face financial challenges that should be accommodated. For instance, the greatest financial challenge public television stations face today is the federally mandated conversion to digital by May 2003. APTS estimates that the overall cost of digital conversion for all public broadcasting is \$1.7 billion. Even if public television is successful in seeking its goal of \$770 million from the federal government to assist in this transition, stations across the country will have to raise almost \$1 billion from state, local and private sources. Public television is embracing digital television wholeheartedly and believes strongly in its potential to expand and enhance the mission of public media.

While public television stations are currently challenged by the high cost of their transition to digital broadcasting, the costs associated with video description are more than minimal. For instance, NCAM estimates that the expense of describing programming is approximately \$4,000 per program hour,<sup>6</sup> and the expense for noncommercial broadcasters that have upgraded equipment to become SAP-capable

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<sup>4</sup> See “Stations Carrying DVS,” <http://www.wgbh.org/wgbh/access/dvs/dvsstations.html>.

<sup>5</sup> NPRM, ¶25, n. 65.

<sup>6</sup> See Comments of CPB/WGBH National Center for Accessible Media, In the Matter of Implementation of Video Description of Video Programming, MM Docket No 99-339 (filed February 23, 2000), pp. 15-16.

ranges from \$5000 to \$25,000.<sup>7</sup> Accordingly, APTS supports the Commission's stated policy that it would not require any noncommercial stations to provide video description at this time, given the cost of video descriptive services and the financial difficulties that many public television stations face, particularly during the transition to digital television.<sup>8</sup>

Public television is proud of its leadership role in offering both closed captioning and video description service to the American public. APTS applauds the Commission's foresight in accommodating persons with visual disabilities, as well as its sensitivity to the financial difficulties many public television stations face. Consistent with its mission to make its services available to all of this nation's citizens, public television will continue to play a leadership role by making noncommercial educational programming available to our citizens with visual disabilities through video description.

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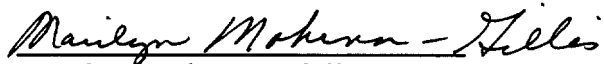
<sup>7</sup> NPRM, ¶15, citing its Fourth Annual Report, 11 FCC Rcd at 1169, ¶ 269. See also "Issues to Be Addressed in a Possible FCC Requirement for Video Description of Video Programming," Report from the WGBH Educational Foundation, November 5, 1998 (updated October 19, 1999), pp. 10, 29.

<sup>8</sup> NPRM, ¶25.

## Conclusion

APTS supports the Commission's proposed video description regulations and the Commission's exemption for public television stations.

Respectfully submitted,

A handwritten signature in cursive script, reading "Marilyn Mohrman-Gillis".

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